

Appln S/N 10/530,698
Amdt dated January 23, 2006
Reply to Office Action dated September 22, 2005

Amendments to the Drawings

Applicant has amended Figure 4 to illustrate both remote control 22 and motion sensor 21.

REMARKS

A request for a one-month extension of time is being submitted under separate cover on today's date.

Claims 5 and 6 have been cancelled. Claim 10 has been added. Claims 1, 2, 3, 4, 7, 8 and 9 have been amended. Claims 1-4, 7-10 are pending in the application.

Applicant submits that the matter of claim 10 is supported by the application as filed, and directs the Examiner's attention page 5 and the paragraph beginning on line 22.

Applicant has amended the specification to address mistranslated element names. Applicant has replaced "rope 4" with "cable 4" and "reflector 14" with "rear light 14". Applicant submits that one skilled in the art would readily appreciate that the change in nomenclature is fully supported by the drawings, and adds that no new matter to the application.

Applicant has amended the abstract along the lines indicated by the Examiner.

In response to the Examiner's objections to the inclusion of the motion sensor and remote control in claims 7 and 9, Applicant has amended Figure 4 to illustrate both the motion sensor (now referred to as element 21) and the remote control (now referred to as element 22). Applicant submits that these elements are described in the specification as filed, and that no new matter has been added by way of these amendments. In view of the amendment to Figure 4, and the accompanying amendment to the specification, Applicant submits that the drawing sheets are now in compliance with 37 CFR 1.121 (d).

Applicant has amended the claims to clarify what is being claimed explicitly, and to address the antecedent issues identified by the Examiner.

Applicant has amended claim 1 to include elements of claims 5 and 6. Claim 1 now recites a requirement for both "a rear light connected to the exterior of the housing" and "an acoustic signaling device connected to a battery and the cable, for producing an acoustic signal upon detection of a break in the cable, the battery also providing power to the rear light." In view of the following argument, Applicant submits that the rejection of claim 1 under 35 USC 102(b) should be withdrawn.

In regard to the rejection under 35 USC 103(a) in view of Halter and Dalaba, Applicant submits that one skilled in the art would not arrive at the matter of claim 1 from the simple combination of these two references. Applicant notes that the illumination of lamp 43 in the Dalaba reference occurs upon detection of an attempted theft. In column 3 at line 22, Dalaba teaches that lamp 43 "is held in the plane between the two reflectors by the wiring 44

that connects the lamp to the associated alarm circuits 45." Applicant notes that this clearly indicates that the activation of the lamp 43 is dependent upon activation of the alarm circuit 45. Applicant further directs the Examiner's attention to column 4 at line 8 where it teaches "With the key switch 16 locked, if the circuit 47 is broken by severing the cable 15 in an attempt to remove the bicycle from the post 12, the coil releases the contacts 52 to the normally closed position 71, thereby closing the armed circuit 46 and turning on the flasher 43 and sired 49..." Applicant submits that this clearly indicates that the intention of Dalaba is to provide a light that is activated only by triggering of the alarm.

A rear light, as claimed in claim 1, is a standard component on many bicycles. This light is not dependent upon the activation of the alarm system to be activated. It is common on bicycles to attach at least one of a front and rear light. These serve as safety equipment that allows cyclists to be seen by oncoming vehicles in the dark. In place of a purely passive system that requires that the incident light of a vehicle be reflected back in the direction of the light source, an active light on the bicycle allows the cyclist to be seen regardless of the direction of the incident light, and regardless of whether or not a light source is directed towards it. This is the purpose of a bicycle rear light, a function not served by a light that is only activated after theft of the device. Applicant notes that the rear light and the acoustic alarm are powered by the same battery, but do not require any form of interconnection for operation. Accordingly, a single power source is used for two elements, although the original function of the rear light is not necessarily tied to the function of the alarm system.

Applicant submits that although the Halter reference teaches a lock designed to be situated around a seat post, Dalaba does not teach the remaining elements of claim 1 as amended. Dalaba does not teach a light used independently of the alarm system, and instead teaches a light that forms a part of the alarm system. If one combined the teachings of the Halter and Dalaba references, one would arrive at a lock system situated around the seat post of a bicycle that illuminated a light only when attempted theft of the bicycle was detected. Accordingly, Applicant submits that one skilled in the art would not arrive at the matter of claim 1 by combining the Halter and Dalaba references, and thus, Applicant submits that the rejection under 35 USC 103(a) be withdrawn.

Applicant submits that the remaining claims all depend, either directly or indirectly from claim 1, and as such include the limitations of claim 1. As claim 1, as

amended, overcomes all rejections raised by the Examiner, Applicant respectfully requests that the rejections of claims 2-4, and 7-9 be withdrawn.

Applicant notes that new claim 10 is fully supported by the specification and directs the Examiner's attention to the paragraph beginning at page 5 line 22 which teaches that "The reflector rear light 14 is electrically connected to the safety lock 5 in such a way that it can only be activated when the safety lock is not closed." In addition to depending from claim 1 which is submitted to be non-obvious in view of the combination of the Halter and Dalaba references, Applicant submits that claim 10 requires that the rear light be prevented from activation when the locking mechanism is engaged, which clearly is taught away from in the Dalaba reference which teaches the activation of the light when the lock is engaged to indicate an attempted theft.

Applicant submits that the claims are neither anticipated nor obvious in view of the references cited by the Examiner, and respectfully submits that the application is now in condition for allowance.

No fee is believed due for this submission. However, Applicant authorizes the Commissioner to debit any required fee from Deposit Account No. 501593. The Commissioner is further authorized to debit any additional amount required, and to credit any overpayment to the above-noted deposit account.

Respectfully submitted,

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By: _____



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Encl.
1. Figure 4 (sheet 4/4)